

**UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 22-80123-CR-CANNON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAVIER HUMBERTO CRUZ-MENA,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

THIS CAUSE comes before the Court upon the Report and Recommendation entered by Magistrate Judge Bruce E. Reinhart Following Change of Plea Hearing [ECF No. 15]. On December 13, 2022, Magistrate Judge Reinhart held a Change of Plea hearing [ECF No. 14] during which Defendant pled guilty to the sole count of the Indictment [ECF No. 1]. The Government orally summarized the factual basis for the plea, and Defendant agreed that the Government's proffer was true and correct [ECF No. 15 ¶ 6]. Magistrate Judge Reinhart thereafter issued a Report recommending that the Court accept Defendant's guilty plea to Count One in the Indictment, that the Court find Defendant to have freely and voluntarily entered his guilty plea, and that the Court adjudicate him guilty of Count One of the Indictment [ECF No. 15].

The Court has conducted a review of the record and finds no error in the Report. Therefore, it is **ORDERED AND ADJUDGED** as follows:

1. The Report and Recommendation [ECF No. 15] is **AFFIRMED AND ADOPTED**.
2. The guilty plea entered by Defendant Javier Humberto Cruz-Mena as to Count One of the Indictment is **ACCEPTED**.

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3. Defendant Javier Humberto Cruz-Mena is adjudicated guilty of Count One of the Indictment, which charges him with illegal reentry after deportation in violation of 8 U.S.C. § 1326(a).

DONE AND ORDERED in Chambers at Fort Pierce, Florida this 5th day of January 2023.

A handwritten signature in black ink, appearing to read 'Aileen M. Cannon', is written over a horizontal line.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record